Honorable Thomas Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SQUARE ENIX, INC., Plaintiff, vs. XANGA.COM, INC.; and JOHN DOES 1-10, Defendants.	No. 06-0075 AMENDED DECLARATION AND REQUEST FOR SUBPOENA PURSUANT TO 17 U.S.C. § 512(H)

I, K. Michael Fandel, the undersigned, declare that:

1. I am an attorney with Graham& Dunn, P.C., counsel for plaintiff Square Enix Company, Limited in this matter. This declaration is made in support of a request for issuance of the accompanying Subpoena, pursuant to 17 U.S.C. § 512(h)(2)(c). I am authorized to act on behalf of the plaintiff in making this request.

2. The purpose or the accompanying Subpoena is to obtain the identity of the alleged copyright infringer who is identified at the Internet location listed on Attachment A to the Subpoena. The information obtained will be used only for the purpose of protecting the rights granted to our client under Title 17 of the United States Code.

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I declare under penalty under the laws of the United States of America that the foregoing is true and correct.

Executed at Seattle, Washington, this 2nd day of March, 2006

By/s/ K. Michael Fandel
K. Michael Fandel
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